

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

March 31, 2005 LB 4

prudent.

SENATOR CHAMBERS: And the child could be returned to a dangerous situation, isn't that true?

SENATOR HOWARD: I would not want to say that, sir. I would want to assure you that when that child was returned to Nebraska that there would be an alternative placement. I can't guarantee that, of course,...

SENATOR CHAMBERS: I know that, because I'm aware of where...

SENATOR HOWARD: ...because individual situations...

SENATOR CHAMBERS: I'm aware of where CPS has gone into homes where a child was being abused, and took no action, and subsequently the child was harmed. CPS--I'm talking about in Omaha now--had knowledge and did not take appropriate action. So this compact with the language is not necessarily going to protect these children. But here's what I wanted to ask you. Why don't we just strike from this language, on line 11, "in so doing have endangered their own safety"? Because that's not...well, let me ask a question. Is it always true that a child who runs away, simply by running away, has endangered himself or herself?

SENATOR HOWARD: The way I would answer that question to you would be, yes, because most often, these children make very bad choices when they're on the street about who they will associate with and who they will ask to give them, say, transportation to this other state,...

SENATOR CHAMBERS: But, Senator Howard, you said "most." "Most" does not mean "all." So there are some in whom...who would not fit into your generalization. Isn't that true?

SENATOR HOWARD: Of course.

SENATOR CHAMBERS: And what about those? They're not endangered simply by running away. The mere act of running away does not endanger them.